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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,886	04/18/2001	Stephen L. Mayo	A-65353-8/RFT/RMS/RMK	2783
7590 10/17/2003			EXAMINER	
ROBIN M. SILVA, ESQ.			KIM, YOUNG J	
FLEHR HOHB	ACH TEST ALBRITTO	N & HERBERT LLP		
Suite 3400		ART UNIT	PAPER NUMBER	
Four Embarcadero Center			1637	12
San Francisco, CA 94111-4187			DATE MAILED: 10/17/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.



# UNITED STATES DEARTMENT OF COMMERCE U.S. Patent and Trademark Office

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APPLICATION NO./	FILING DATE	FIRST NAMED INVENTOR I	ATTORNEY DOCKET NO.
CONTROL NO.		PATENT IN REEXAMINATION	

EXAMINER

ART UNIT PAPER

12

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**Commissioner for Patents** 

Application/Control Number: 09/837,886

Art Unit: 1637

#### **DETAILED ACTION**

### Response to Amendment

The reply filed on August 11, 2003 (Paper No. 10) is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): All Amendments received by the Office on or after July 30, 2003 <u>must</u> be in compliance with the rules as required by the Revised Amendment Practice, which requires that an amendment document include <u>separate</u> sections for amendments to the claims, drawings, specification, and abstract, <u>each beginning on a new sheet of paper</u>. (See revised 37 CFR 1.121). <u>See</u> 37 CFR 1.111. Since the abovementioned reply appears to be *bona fide*, applicant is given **ONE** (1) **MONTH or THIRTY** (30) **DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Applicants are advised that the terminal disclaimer received on August 13, 2003 was proper and have been entered.

#### Inquiries

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Young J. Kim whose telephone number is (703) 308-9348. The Examiner can normally be reached from 8:30 a.m. to 7:00 p.m. Monday through Thursday. If attempts to reach the Examiner by telephone are unsuccessful, the Primary Examiner in charge of the prosecution, Dr. Kenneth Horlick, can be reached at (703)-308-3905. If the attempts to reach the above Examiners are unsuccessful, the Examiner's supervisor, Gary Benzion, can be reached at (703) 308-1119. Papers related to this application may be submitted to Art Unit 1637 by facsimile transmission. The faxing of such papers must conform with the notice published in the Official Gazette, 1156 OG 61 (November 16, 1993) and 1157 OG 94 (December 28, 1993) (see 37 CFR 1.6(d)). NOTE: If applicant does submit a paper by FAX, the original copy should be retained by applicant or applicant's representative. NO DUPLICATE COPIES SHOULD BE SUBMITTED, so as to avoid the processing of duplicate papers in the Office. All official documents must be sent to the Official Tech Center Fax number: (703) 872-9306. For Unofficial documents,

Art Unit: 1637

faxes can be sent directly to the Examiner at (703) 746-3172. Any inquiry of a general

nature or relating to the status of this application should be directed to the Group

receptionist whose telephone number is (703) 308-0196.

Young J. Kim

10/14/03

PRIMARY EXAMINER

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10/16/03